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*Attorneys for Plaintiffs CG Technology Development, LLC,
Interactive Games Limited, and Interactive Games LLC*

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

CG TECHNOLOGY DEVELOPMENT, LLC,
INTERACTIVE GAMES LIMITED, and
INTERACTIVE GAMES LLC,

Plaintiffs,

vs.

BIG FISH GAMES, INC.,

Defendant.

Case No.:

**PLAINTIFFS' COMPLAINT FOR
PATENT INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiffs CG Technology Development, LLC ("CG Tech"), Interactive Games Limited ("IG Limited"), and Interactive Games LLC ("IG LLC") (collectively "Plaintiffs"), by and through

1 their counsel, hereby bring this Complaint against Defendant Big Fish Games, Inc. (“Defendant” or
2 “Big Fish Games”), and allege as follows:

3 NATURE OF ACTION

4 1. This is an action for patent infringement under 35 U.S.C. § 271 *et seq.* by Plaintiffs
5 against Defendant for infringement of U.S. Patent Nos. RE39,818; 6,899,628; 7,534,169;
6 6,979,267; 8,342,924; 7,029,394; and 9,111,417 (collectively the “Patents-in-Suit”).

7 PARTIES

8 2. CG Tech is a wholly owned subsidiary of CG Technology, L.P. (“CG”), a limited
9 partnership, with its principal place of business at 2575 South Highland Drive, Las Vegas, Nevada,
10 89109. CG and CG Tech are both incorporated in Nevada. CG is an innovative gaming
11 technology solutions provider for lottery, gaming, racing, and sports wagering worldwide. It
12 specializes in providing secure, scalable, mobile technology and risk management solutions to
13 integrated resorts, gaming partners, race and sports books, and lottery industries. Headquartered in
14 Las Vegas, Nevada, CG and CG Tech continue to expand into new global markets in response to
15 partner demand for their gaming and manufacturing expertise and superior technology solutions.
16 Their products include Android™- and Apple®-compatible applications for real-money and social
17 casino gaming, as well as state-of-the-art, account-based wagering systems.

18 3. IG LLC is a limited liability company incorporated in Nevada with its principal
19 place of business at 110 East 59th St., New York, New York, 10022.

20 4. IG Limited is a private limited company with its principal place of business at One
21 Churchill Place, Canary Wharf, London, UK E14 5RB.

22 5. Upon information and belief, Big Fish Games is a corporation organized and
23 existing under the laws of the State of Washington, with its principal place of business located at
24 333 Elliott Avenue West, Suite 200, Seattle, Washington, 98119.

25 JURISDICTION AND VENUE

26 6. This is a civil action for patent infringement arising under the patent laws of the
27 United States, 35 U.S.C. § 271 *et seq.*
28

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
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LAS VEGAS, NV 89169
TELEPHONE: 702.369.6800

1 7. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

2 8. Big Fish Games is subject to personal jurisdiction in this District because, based on
3 information and belief, Defendant has transacted business in this District and has committed, by
4 itself or in concert with others, acts of patent infringement in this District. On information and
5 belief, Defendant has conducted business within the State of Nevada. In addition, Defendant
6 offered for sale, sells, advertises, and/or uses its products and services (including the products
7 accused of infringement in this lawsuit) in the United States, the State of Nevada, and this District.
8 Further, Defendant purposefully and voluntarily placed one or more infringing products and
9 services into the stream of commerce with the expectation that they will be used by consumers in
10 the State of Nevada. Defendant also advertises and has transacted business throughout the United
11 States, including in the State of Nevada, and specifically in this District. Defendant has purposely
12 availed itself of the laws of this District by, among other things, advertising and selling its products
13 and services in this District.

14 9. Defendant is subject to this Court's specific and general personal jurisdiction
15 pursuant to due process and/or the Nevada Long Arm Statute, due at least to Defendant's
16 substantial business in this forum, including: (i) at least a portion of the infringements alleged
17 herein; and/or (ii) regularly doing or soliciting business, engaging in other persistent courses of
18 conduct, and/or deriving substantial revenue from goods and services provided to individuals in the
19 State of Nevada and in this District.

20 10. On information and belief, Defendant has operated and continues to operate an
21 interactive website (www.bigfishgames.com) and mobile application that are accessible to all
22 residents of the State of Nevada, including in this District, through which Defendant advertises and
23 makes available for use certain services and electronic social casino games that are herein accused
24 of infringement. (See <https://www.bigfishgames.com>.) On information and belief, Defendant has
25 repeatedly promoted its products and services accused of infringement in this District. (See, e.g.,
26 <https://www.geekwire.com/2014/big-fish-reeling-casino-gamers-high-stakes-tv-spot/>,
27 <https://www.youtube.com/watch?v=Ig3KzkOY6pA>, <https://www.youtube.com/watch?v=OhhmgCf27mA>,
28

1 <https://www.youtube.com/watch?v=DnfRos73P28>.)

2 11. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and (c), and/or
3 1400(b), as Big Fish Games is subject to personal jurisdiction in this District.

4 **GENERAL ALLEGATIONS**

5 12. Plaintiffs own innovative technology that is being used by Defendant in its social
6 casino gaming business. Like traditional casino games, users are enabled to play games and place
7 wagers on their outcomes. Social casino games, however, allow users to play casino games with
8 hundreds of thousands of people through an online community. Users engage with the online
9 community through mobile computing devices. Accordingly, social casino games are faster and
10 provide a better-personalized experience, more options, and greater enjoyment for the players.

11 13. On information and belief, and based on its own admissions, Big Fish Games is the
12 largest producer and distributor of social games, including “the #1 mobile social casino game, *Big*
13 *Fish Casino*.” (See <http://www.bigfishgames.com/company/index.html>.) Big Fish Games
14 provides access to its social casino gaming platform through its web-based interface and/or mobile
15 applications. Big Fish Games determines whether its users are 13 years of age or older before
16 authorizing the users to play in one of its casino games.

17 14. Big Fish Games offers various types of social casino games to users, including slots,
18 roulette, blackjack, and poker. Users can enter these games and place wagers on their outcomes
19 using “play” chips. Big Fish Games offers these games at various minimum stakes and entry fees
20 (or “buy-ins”). As such, Big Fish Games’ gaming platform provides an in-game store to purchase
21 the chips required to enter a desired game and wager on the outcome. The chips are stored in a
22 digital wallet as part of the user’s profile. Big Fish Games also monitors multiple games and game
23 events on which play is based to determine the outcome of each wager. During gameplay, a user
24 may request to generate a wager offer to other users and receive multiple acceptances of the wager
25 offer in response. After completing the game, the winners are awarded chips according to the
26 game’s payout rules. Big Fish Games manages and updates each user’s account to reflect the
27 appropriate transfer of chips based on a winning or losing outcome.
28

CLAIMS FOR RELIEF

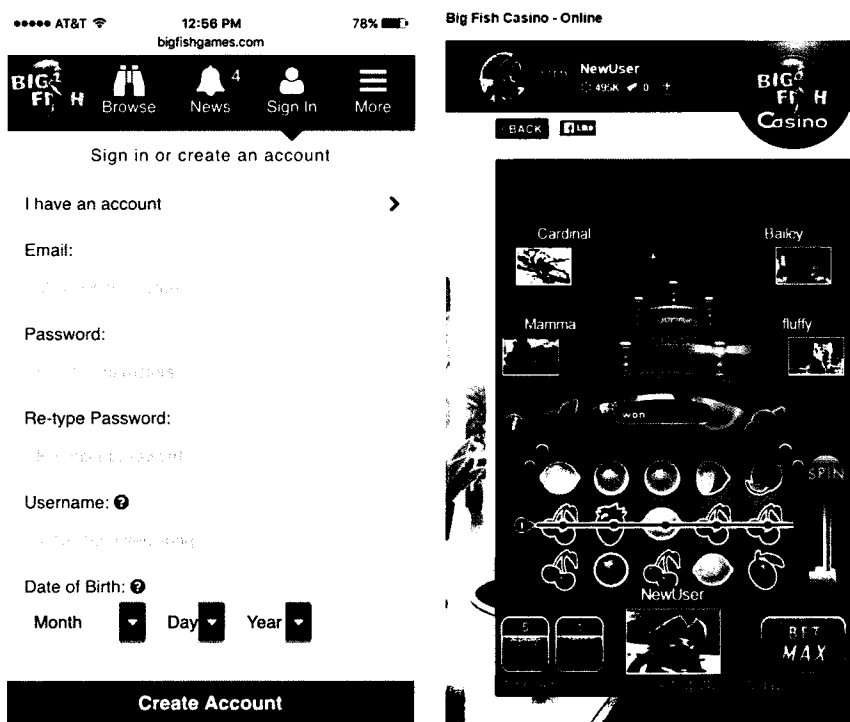
16. Plaintiffs incorporate by reference paragraphs 1-15 as if fully set forth herein.

19. Defendant, directly or through its agents, customers, and/or intermediaries, has made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems that infringe (either directly or under the doctrine of equivalents) one or more claims of the RE'818 patent. For instance, on information and belief, Defendant's accused products and/or systems provide a processor that executes a gaming application for displaying video images on a display screen. A portable control is personalized to a specific user after the user registers an account to interact with the gaming application. Once registration is complete, the portable control stores in its memory identification information including the user's age and game data. The personalized portable control includes control switches for generating game control signals during gameplay. The portable control also includes a wireless transmitter for sending the

1 identification and control signals to the processor. Here, the processor uses the received
 2 identification signals to determine whether the user is authorized to play the game based at least in
 3 part on the user's age. This is done in a manner that infringes at least claims 1, 20, and 24 of the
 4 RE'818 patent.

5 20. Big Fish Games' social casino games contain each limitation of at least one asserted
 6 claim of the RE'818 patent. By way of example only:

7 21. Big Fish Games' social casino games meet all requirements of claim 20, which
 8 include (as shown below) "[a] game apparatus comprising: a wireless transmitter to transmit both
 9 an identification code and game control signals to a processor executing a game." (RE'818 patent,
 10 col. 7, ll. 25-28.)



22. Big Fish Games' social casino games include an "identification code . . . used by the
 24 processor to retrieve identification data and authorize game play based at least in part on an age of
 25 a player." (*Id.* at col. 7, ll. 28-30.)

26 . . .
 27 . . .

Sign in to play Big Fish Casino now!



Daily FREE game and bonuses could win you up to 50,000 FREE CHIPS. just for signing in!

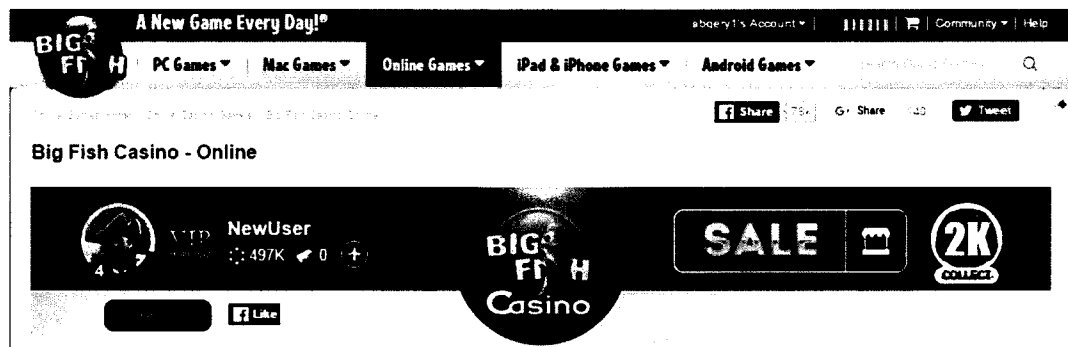
Email Address

Password

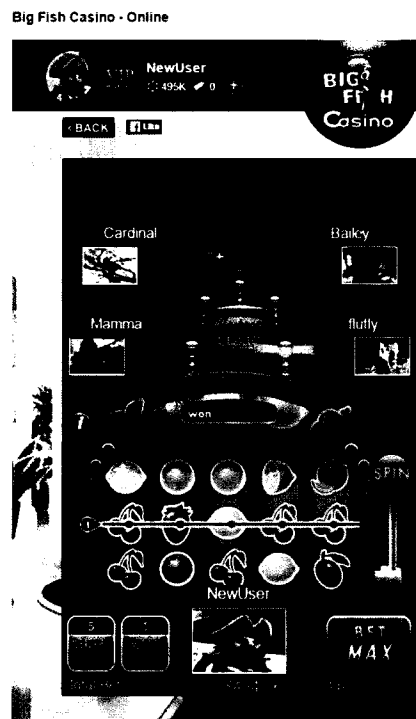
Forgot your password?

Sign In Now!

Don't have an account?
Sign Up Now



23. Big Fish Games' social casino games include "a plurality of input controls to allow the player to interact with the processor to play the game." (*Id.* at col. 7, ll. 31-32.)



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1 This is done in a manner that infringes at least claims 1 and 31 of the '628 patent.

2 30. Big Fish Games' social casino games contain each limitation of at least claim 31 of
3 the '628 patent. By way of example only:

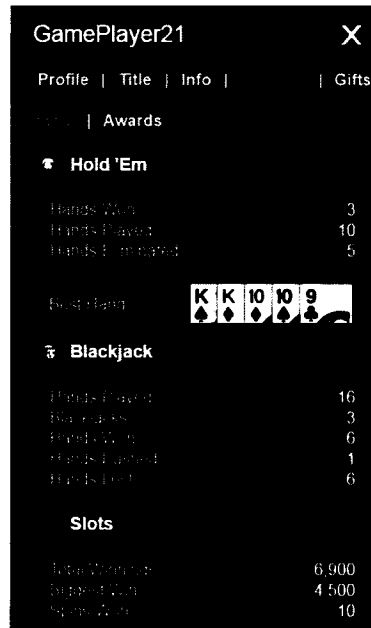
4 31. Big Fish Games' social casino games meet all requirements of claim 31, which
5 include (as shown below) "[a] server for managing game events, comprising: a processor that
6 executes a gaming application that is accessed by a remote user via a network." ('628 patent,
7 col. 23, ll. 62-64.)



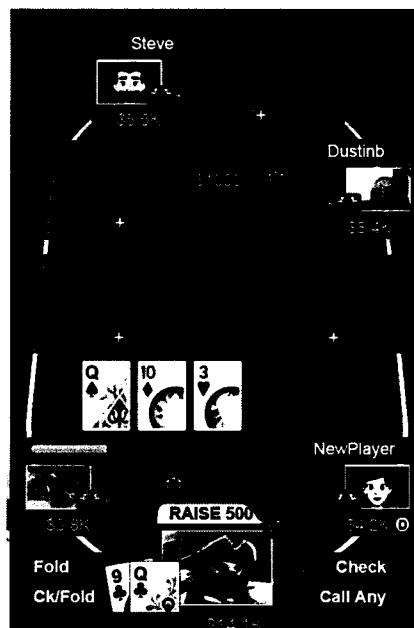
16 32. Big Fish Games' social casino games include "a monitor module coupled to the
17 processor that monitors a plurality of game events during the execution of the gaming application
18 by the user." (*Id.* at col. 23, ll. 65-67.)



33. Big Fish Games' social casino games include "an interface coupled to the processor that communicates event information associated with at least one of the game events to an enhanced services platform remote from the server." (*Id.* at col. 24, ll. 1-4.)



34. Big Fish Games' social casino games include "generat[ing] a wager record associated with a wager between a plurality of users based on at least one of the first event information and the second event information." (*Id.* at col. 24, ll. 4-7.)



35. Defendant does not have a license or permission to use the '628 patent.

36. As a result of Defendant's infringement of the '628 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

THIRD CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 7,534,169)

37. Plaintiffs incorporate by reference paragraphs 1-36 as if fully set forth herein.

38. On May 19, 2009, U.S. Patent No. 7,534,169 ("the '169 patent") was duly and legally issued by the PTO for an invention titled "System and Method for Wireless Gaming System with User Profiles" to the listed inventors Lee M. Amaitis, Joseph M. Asher, Robert F. Bahrapour, Darrin M. Mylet, Alan B. Wilkins, and Howard W. Lutnick. A certified copy of the '169 patent is attached as **Exhibit C**.

39. IG LLC is the assignee and sole owner of the '169 patent, with all substantive rights in and to that patent, including the sole and exclusive right to bring this action and enforce the '169 patent against infringers, and to collect damages for all relevant times.

40. Defendant, directly or through its agents, customers, and/or intermediaries, has made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems that infringe (either directly or under the doctrine of equivalents) one or more claims of the '169 patent. For instance, on information and belief, Defendant's accused products and/or systems have certain features that modify a gaming environment based on a user's success level in playing a gaming activity. A gaming device enables a user to play a plurality of gaming activities, and a user profile associated with the user is updated to reflect a first success level in playing a first gaming activity during a first gaming session. After termination of the first gaming session and the start of a second, subsequent, gaming session, the user's success level in playing the first gaming activity is determined. Based at least in part on the first success level, a gaming environment is modified and presented to the user through the gaming device. The modification includes a change in how the first gaming activity is presented to the user as a possible gaming

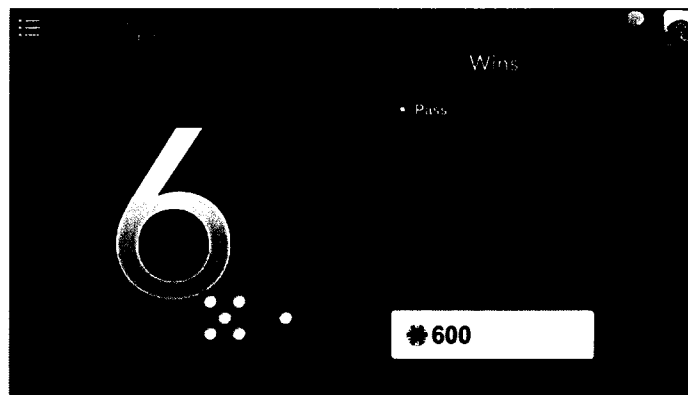
1 activity during the second gaming session. This is done in a manner that infringes at least claim 1
2 of the '169 patent.

3 41. Big Fish Games' social casino games contain each limitation of at least claim 1 of
4 the '169 patent. By way of example only:

5 42. Big Fish Games' social casino games meet all requirements of claim 1, which
6 include (as shown below) "[a]n apparatus comprising: . . . at least one profile associated with a user
7 of a gaming device, the gaming device being operable to make a plurality of gaming activities
8 available to the user for play via the gaming device." ('169 patent, col. 26, ll. 43-52.)



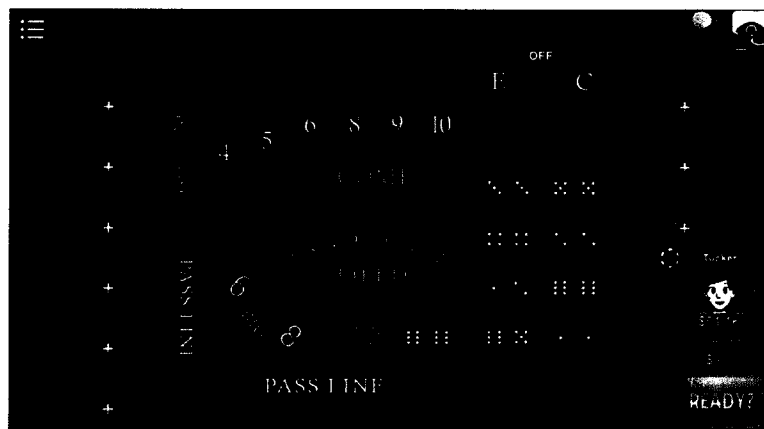
19 43. Big Fish Games' social casino games include "updat[ing] the user's profile to
20 reflect a first success level of the user in playing a first of the plurality of gaming activities via the
21 gaming device during a first gaming session." (*Id.* at col. 26, ll. 56-59.)



44. Big Fish Games' social casino games include, "based at least in part on the first success level, modify[ing] a gaming environment, wherein the modification includes a change as to how the first gaming activity is presented to the user as a possible gaming activity that the user may play via the gaming device during the second gaming session." (*Id.* at col. 26, l. 66 to col. 27, l. 4.)



45. Big Fish Games' social casino games include "present[ing] to the user, via the gaming device, the first gaming activity according to the modified gaming environment." (*Id.* at col. 27, ll. 5-7.)



1 46. Defendant does not have a license or permission to use the '169 patent.

2 47. As a result of Defendant's infringement of the '169 patent, IG LLC has suffered and
3 continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty
4 and/or lost profits.

5 **FOURTH CLAIM FOR RELIEF**
6 **(INFRINGEMENT OF U.S. PATENT NO. 6,979,267)**

7 48. Plaintiffs incorporate by reference paragraphs 1-47 as if fully set forth herein.

8 49. On December 27, 2005, U.S. Patent No. 6,979,267 ("the '267 patent") was duly and
9 legally issued by the PTO for an invention titled "System and Method for Generating Profile
10 Information for a User of a Gaming Application" to the listed inventors Fergus A. Leen, Sam B.
11 Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O'Neal. A
12 certified copy of the '267 patent is attached as **Exhibit D**.

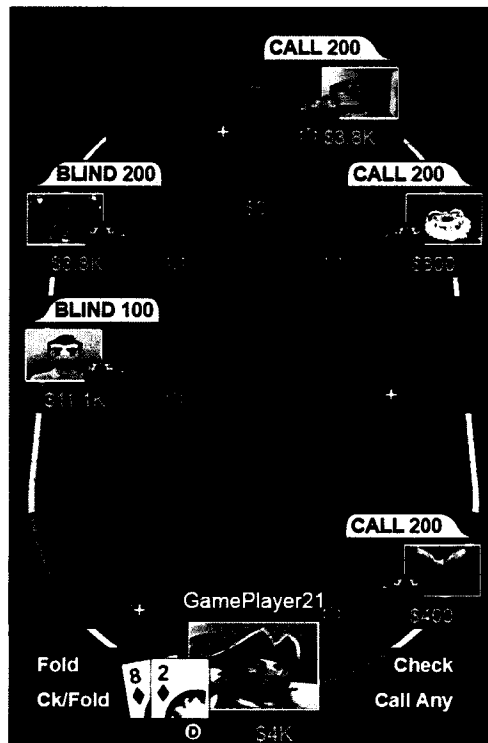
13 50. IG Limited is the assignee and sole owner of the '267 patent, with all substantive
14 rights in and to that patent, including the sole and exclusive right to bring this action and enforce
15 the '267 patent against infringers, and to collect damages for all relevant times.

16 51. Defendant, directly or through its agents, customers, and/or intermediaries, has
17 made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products
18 and/or systems that infringe (either directly or under the doctrine of equivalents) one or more
19 claims of the '267 patent. For instance, on information and belief, Defendant's accused products
20 and/or systems have certain features that generate profile information for users of gaming
21 applications executed on a server. During execution of a first gaming application by a first user, a
22 plurality of game events are monitored. First and second event information associated with a first
23 and second game event is communicated to a processor remote from the server. The processor
24 generates first profile information associated with the first user based at least in part on the first
25 event information, the second event information, and wager records of the first user. The processor
26 stores the first profile information in a memory. During execution of a second gaming application
27 by a second user, a plurality of game events are also monitored. Third and fourth event
28 information associated with a third and fourth game event is communicated to the processor. Here,

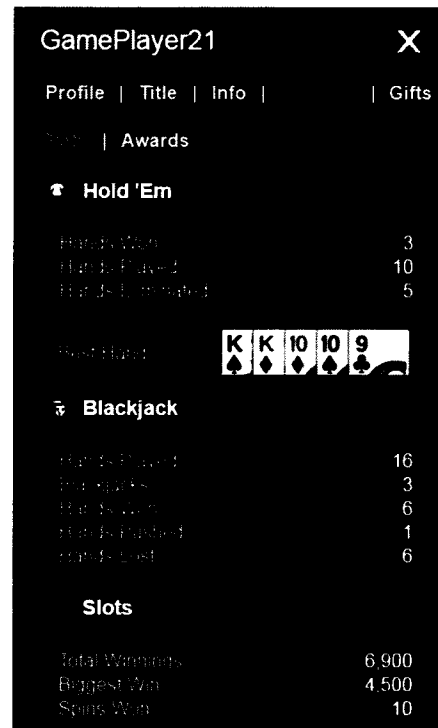
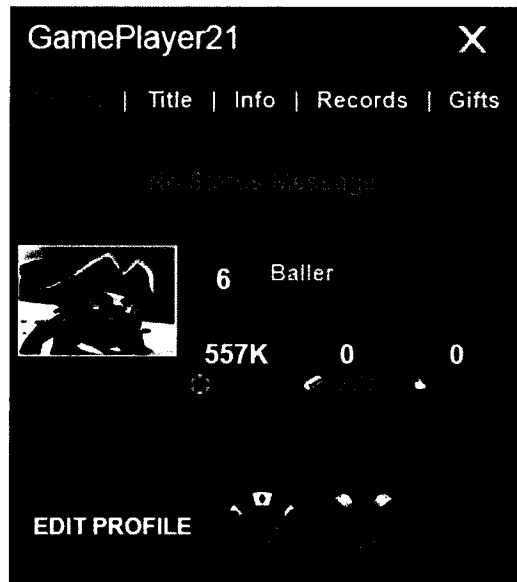
1 the third event information is received by the processor substantially simultaneously with the first
 2 event information. The processor generates second profile information associated with the second
 3 user based at least in part upon the third and fourth event information. This is done in a manner
 4 that infringes at least claim 1 of the '267 patent.

5 52. Big Fish Games' social casino games contain each limitation of at least claim 1 of
 6 the '267 patent. By way of example only:

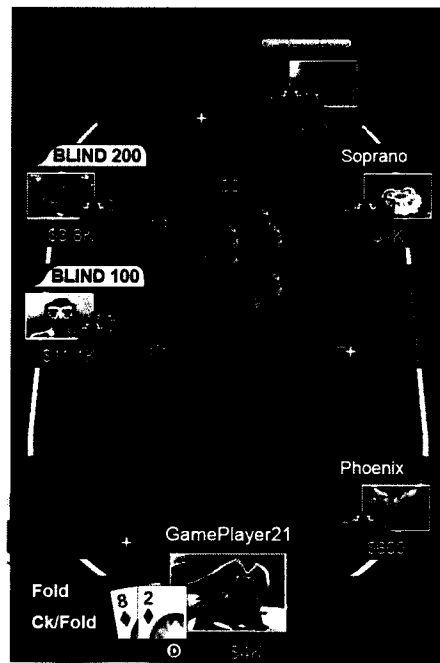
7 53. Big Fish Games' social casino games meet all requirements of claim 1, which
 8 include (as shown below) "[a] system for generating profile information for users of gaming
 9 applications, comprising: a server that: . . . monitors a plurality of game events during the
 10 execution of the first gaming application by a first user." ('267 patent, col. 20, ll. 24-29.)



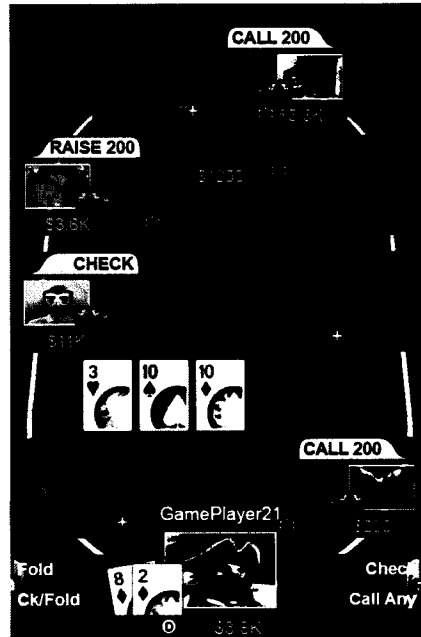
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 24 54. Big Fish Games' social casino games include "a processor remotely coupled to the
 25 server that: . . . generates first profile information associated with the first user based at least in part
 26 upon . . . first event information, . . . second event information and wager records of the first user."
 27 (*Id.* at col. 20, ll. 34-40.)
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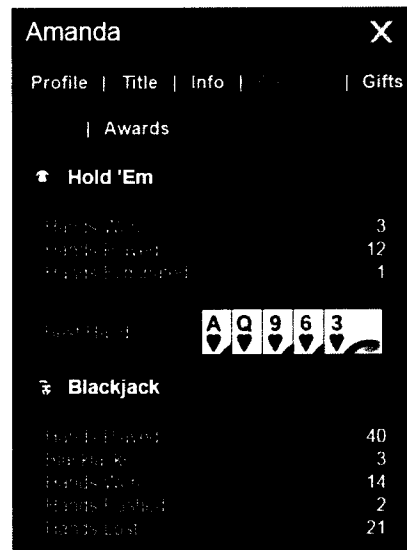
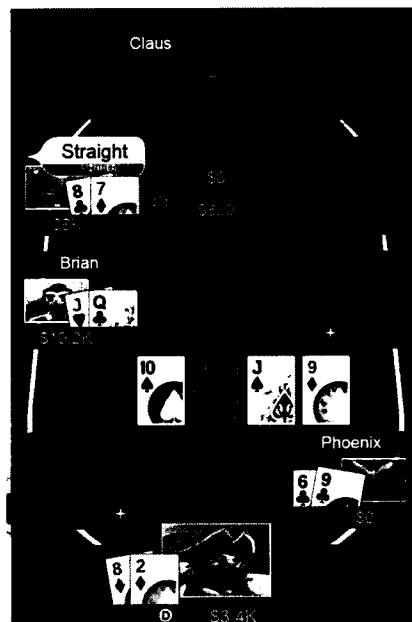
55. Big Fish Games' social casino games include "receiv[ing] third event information substantially simultaneously with the first event information, the third event information associated with a third game event, wherein the third game event is associated with the execution by a second user of a second gaming application." (*Id.* at col. 20, ll. 41-46.)



56. Big Fish Games' social casino games include "receiv[ing] fourth event information associated with a fourth game event, wherein the fourth game event is associated with the execution by the second user of the second gaming application." (*Id.* at col. 20, ll. 47-50.)



57. Big Fish Games' social casino games include "generat[ing] second profile information associated with the second user based at least in part upon the third event information and the fourth event information." (*Id.* at col. 20, ll. 51-53.)



58. Defendant does not have a license or permission to use the '267 patent.

59. As a result of Defendant's infringement of the '267 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

FIFTH CLAIM FOR RELIEF
(INFRINGEMENT OF U.S. PATENT NO. 8,342,924)

60. Plaintiffs incorporate by reference paragraphs 1-59 as if fully set forth herein.

61. On January 1, 2013, U.S. Patent No. 8,342,924 ("the '924 patent") was duly and legally issued by the PTO for an invention titled "System and Method for Providing Enhanced Services to a User of a Gaming Application" to the listed inventors Fergus A. Leen, Sam B. Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O'Neal. A certified copy of the '924 patent is attached as **Exhibit E**.

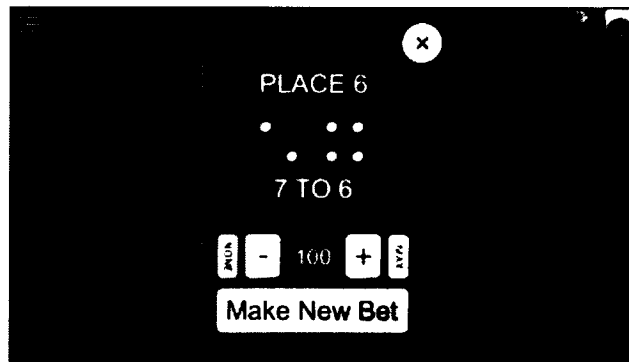
62. IG Limited is the assignee and sole owner of the '924 patent, with all substantive rights in and to that patent, including the sole and exclusive right to bring this action and enforce the '924 patent against infringers, and to collect damages for all relevant times.

63. Defendant, directly or through its agents, customers, and/or intermediaries, has made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems that infringe (either directly or under the doctrine of equivalents) one or more claims of the '924 patent. For instance, on information and belief, Defendant's accused products and/or systems have certain features that enable a user to play a game and initiate at least one event within a context of playing the game. Information associated with the event is received by an apparatus comprising a processor while the user plays the game. Here, the apparatus generates statistics information associated with the user based at least in part on the information. This statistics information is associated with the user's playing of the game, and is electronically displayed to another user. This is done in a manner that infringes at least claim 11 of the '924 patent.

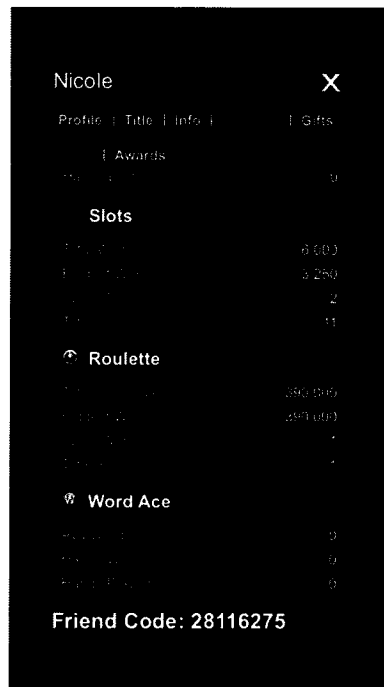
64. Big Fish Games' social casino games contain each limitation of at least claim 11 of

1 the '924 patent. By way of example only:

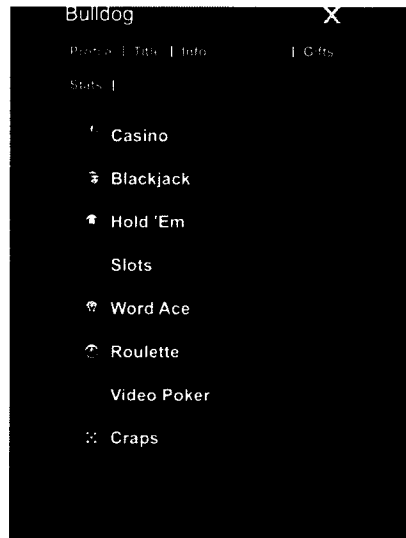
2 65. Big Fish Games' social casino games meet all requirements of claim 11, which
 3 include (as shown below) "[a]n apparatus comprising: at least one processor; and at least one
 4 memory device . . . [that] stores instructions which . . . direct the at least one processor to: receive
 5 information associated with at least one event initiated by a user within a context of playing a
 6 game, wherein the information is received during the playing of the game by the user." ('924
 7 patent, col. 21, ll. 4-13.)



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 14 66. Big Fish Games' social casino games include, "based at least in part on the
 15 information, generat[ing] statistics information, wherein the statistics information is associated
 16 with the user with respect to the playing of the game." (*Id.* at col. 21, ll. 14-17.)



67. Big Fish Games' social casino games include "caus[ing] to be electronically displayed to another user at least the statistics information." (*Id.* at col. 21, ll. 18-19.)



68. Defendant does not have a license or permission to use the '924 patent.

69. As a result of Defendant's infringement of the '924 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

SIXTH CLAIM FOR RELIEF (INFRINGEMENT OF U.S. PATENT NO. 7,029,394)

70. Plaintiffs incorporate by reference paragraphs 1-69 as if fully set forth herein.

71. On April 18, 2006, U.S. Patent No. 7,029,394 ("the '394 patent") was duly and legally issued by the PTO for an invention titled "System and Method for Generating Statistics for a User of a Gaming Application" to the listed inventors Fergus A. Leen, Sam B. Lawrence, David G. McNally, Clive Hetherington, David M. McDowell, and Kevin R. O'Neal. A certified copy of the '394 patent is attached as **Exhibit F**.

72. IG Limited is the assignee and sole owner of the '394 patent, with all substantive rights in and to that patent, including the sole and exclusive right to bring this action and enforce the '394 patent against infringers, and to collect damages for all relevant times.

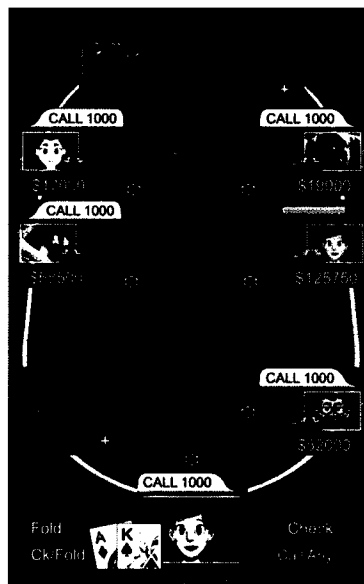
73. Defendant, directly or through its agents, customers, and/or intermediaries, has

OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.
WELLS FARGO TOWER
SUITE 1500, 3800 HOWARD HUGHES PARKWAY
LAS VEGAS, NV 89169
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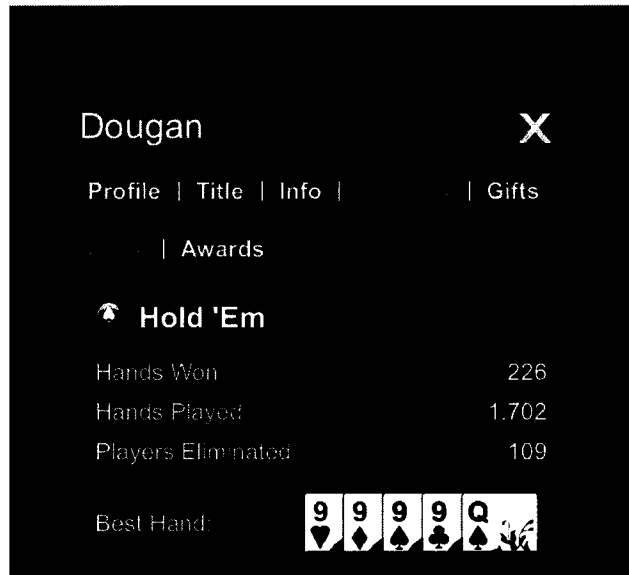
made, used, tested, imported, provided, supplied, distributed, sold, and/or offered for sale products and/or systems that infringe (either directly or under the doctrine of equivalents) one or more claims of the '394 patent. Specifically, Defendant's accused products and/or systems have certain features that enable a user to execute a gaming application hosted on a remote server. During execution of the gaming application, first and second event information associated with first and second game events is received. Statistics information associated with the user and the gaming application is generated based at least in part on the first event information, the second event information, and wager records associated with the gaming application. The statistics information is used to determine an outcome of a wager associated with the gaming application and then stored. This is done in a manner that infringes at least claim 1 of the '394 patent.

74. Big Fish Games' social casino games contain each limitation of at least claim 1 of the '394 patent. By way of example only:

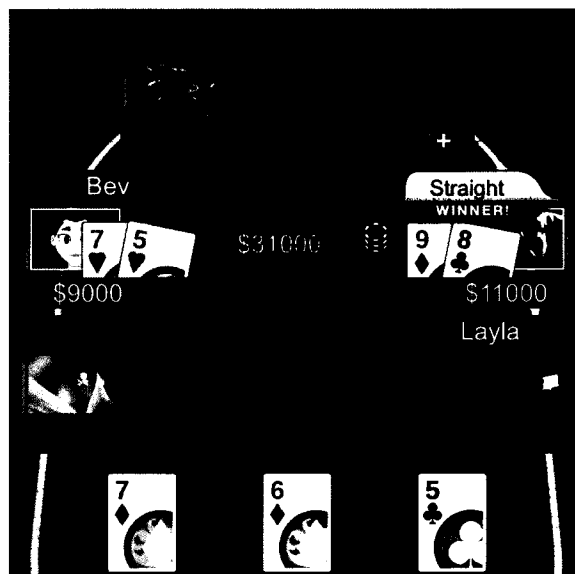
75. Big Fish Games' social casino games meet all requirements of claim 1, which include (as shown below) "[a] system for generating statistics information, comprising: a server that: executes a gaming application; monitors a plurality of game events during the execution of the gaming application by a user; communicates first event information associated with a first game event; and communicates second event information associated with a second game event." ('394 patent, col. 20, ll. 46-55.)



76. Big Fish Games' social casino games include "a processor remotely coupled to the server that receives the first event information; receives the second event information; [and] generates statistics information based at least in part upon the first event information, the second event information and wager records associated with the gaming application." (*Id.* at col. 20, ll. 56-62.)



77. Big Fish Games' social casino games include "determin[ing] an outcome of a wager associated with the gaming application using the statistics information; and a memory coupled to the processor that stores the statistics information." (*Id.* at col. 20, ll. 63-67.)



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At the end of the game, an outcome is determined and funds are transferred to at least one user who played (and “won”) the game. This is done in a manner that infringes at least claim 1 of the ’417 patent.

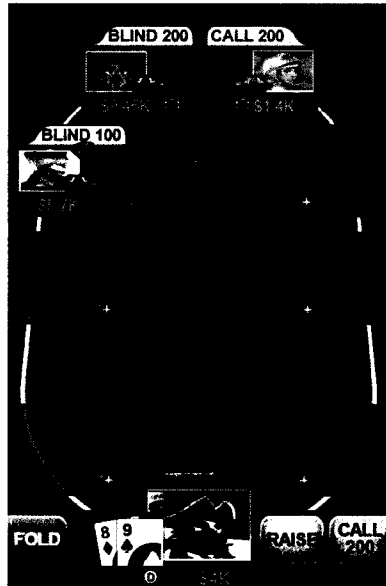
84. Big Fish Games’ social casino games contain each limitation of at least claim 1 of the ’417 patent. By way of example only:

85. Big Fish Games’ social casino games meet all requirements of claim 1, which include (as shown below) “[a] system comprising at least one processor and at least one non-volatile memory having software stored thereon that when executed by the at least one processor directs the at least one processor to: provide a game via a communications network to users via respective computing devices of the users, wherein the game is a sports game, an arcade game, a card game, or an adventure game.” (’417 patent, col. 20, ll. 20-27.)

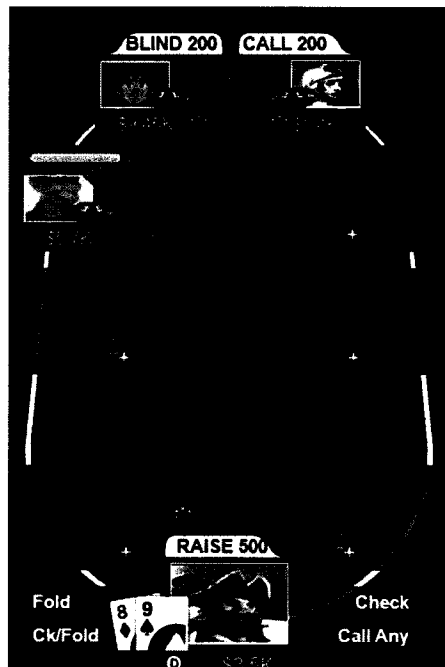


86. Big Fish Games’ social casino games include, “responsive to a request from one of the users, caus[ing] a graphical user interface to be presented to the user at the user’s computing device, wherein the graphical user interface allows the user to offer a wager to other users; [and] responsive to presenting the graphical user interface to the user, receiv[ing] from that user a request to generate a wager offer, wherein the wager offer includes a wager amount.” (*Id.* at col. 20, ll. 28-34.)

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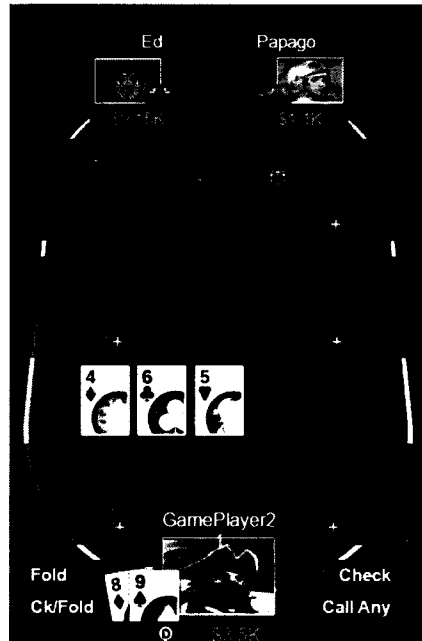


87. Big Fish Games' social casino games include, "responsive to receiving the request to generate the wager offer, present[ing] the wager offer to other users via respective computing devices of the other users." (*Id.* at col. 20, ll. 35-37.)

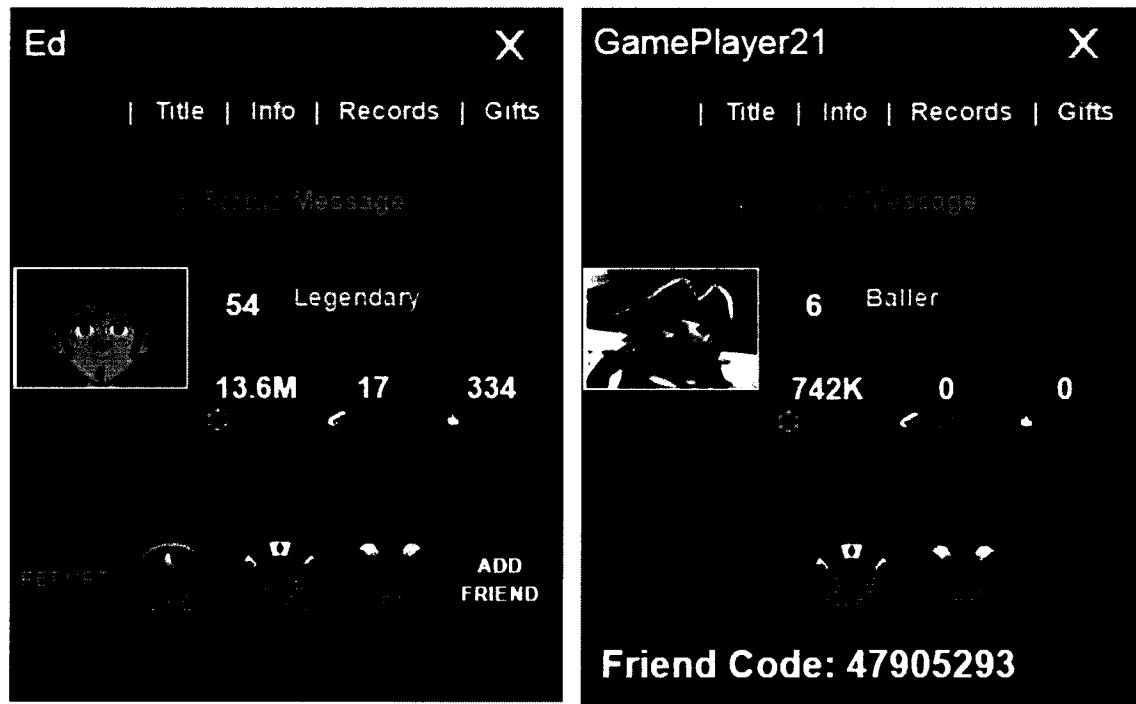


88. Big Fish Games' social casino games include "receiv[ing] from a plurality of the other users an acceptance of the wager offer, each acceptance at the wager amount." (*Id.* at col. 20, ll. 38-39.)

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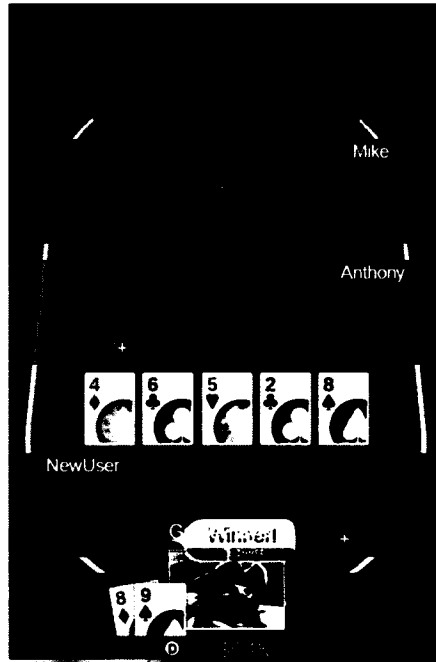


89. Big Fish Games' social casino games include, "during a playing of the game by a plurality of the users: generat[ing] statistics information related to at least a first and a second of the users playing the game." (*Id.* at col. 20, ll. 40-42.)



90. Big Fish Games' social casino games include, "at end of the game, determin[ing] an

outcome of the wagers resulting from the users that accepted the wager offer, wherein . . . determin[ing] the outcome of the wagers includes . . . transfer[ring] funds to at least one user who played the game.” (*Id.* at col. 20, ll. 49-53.)



91. Defendant does not have a license or permission to use the '417 patent.

92. As a result of Defendant's infringement of the '417 patent, IG Limited has suffered and continues to suffer damages, in an amount not yet determined, of at least a reasonable royalty and/or lost profits.

EIGHTH CLAIM FOR RELIEF **(WILLFUL INFRINGEMENT)**

93. Plaintiffs incorporate by reference paragraphs 1-92 as if fully set forth herein.

94. Defendant's infringement of the RE'818, '628, '169, '267, '924, '394, and '417 patents has been and continues to be willful. Big Fish Games was made aware of the RE'818, '628, '169, '267, '924, '394, and '417 patents as early as the filing of this lawsuit. Big Fish Games' continued use of its infringing products constitutes willful and blatant infringement.

95. For the same reasons set forth above in paragraphs 24, 35, 46, 58, 68, 78, and 91, Defendant has had knowledge of the RE'818, '628, '169, '267, '924, '394, and '417 patents, and

1 that its acts constitute infringement. Defendant has acted and is continuing to act in the face of an
 2 objectively high likelihood that its actions constitute infringement of a valid patent or with reckless
 3 disregard of that likelihood.

4 **JURY DEMAND**

5 96. Plaintiffs request a trial by jury on all issues so triable by right.

6 **PRAYER FOR RELIEF**

7 Wherefore, Plaintiffs respectfully request that the Court find in their favor and against
 8 Defendant, and that the Court grant Plaintiffs the following relief:

9 1. A declaration that Big Fish Games infringes the Patents-in-Suit under 35 U.S.C.
 10 § 271(a), (b), and/or (c), and a final judgment incorporating same;

11 2. Equitable relief under 35 U.S.C. § 283, including but not limited to an injunction
 12 that enjoins Big Fish Games and any of its officers, agents, employees, assigns, representatives,
 13 privies, successors, and those acting in concert or participation with them from infringing the
 14 Patents-in-Suit;

15 3. An award of damages sufficient to compensate Plaintiffs for infringement of the
 16 Patents-in-Suit by Big Fish Games, together with prejudgment and post judgment interest under 35
 17 U.S.C. § 284;

18 4. Entry of an order compelling Big Fish Games to compensate Plaintiffs for any
 19 ongoing and/or future infringement of the Patents-in-Suit, in an amount and under terms
 20 appropriate under the circumstances;

21 5. That this Court declare this an exceptional case and award Plaintiffs their reasonable
 22 attorneys' fees, costs, and expenses in accordance with 35 U.S.C. § 285;

23 6. A declaration or order finding Big Fish Games' infringement is willful and/or an
 24 order increasing damages under 35 U.S.C. § 284; and

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1 7. That Plaintiffs be granted such other and further relief as the Court may deem just
2 and proper under the circumstances.

3 DATED this 14th day of April, 2016.

4 OGLETREE, DEAKINS, NASH, SMOAK & STEWART, P.C.

5
6 /s/ Molly M. Rezac

7 Molly M. Rezac

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9 Erica J. Chee

10 Nevada Bar No. 12238

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13 3800 Howard Hughes Parkway

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16 Robert F. Shaffer (*Pro Hac Vice Pending – will comply with LR IA 10-*
17 *2 within 45 days*)

18 James R. Barney (*Pro Hac Vice Pending – will comply with LR IA 10-*
19 *2 within 45 days*)

20 Anthony D. Del Monaco (*Pro Hac Vice Pending – will comply with*
21 *LR IA 10-2 within 45 days*)

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24 Attorneys for Plaintiffs CG Technology Development, LLC,
25 Interactive Games Limited, and Interactive Games LLC
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28

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